

### REMARKS

This amendment is responsive to the Office Action dated January 11, 2008 and received in this application. Claims 1-5 remain pending in the application. Reconsideration and allowance of the pending claims is respectfully requested.

In the Office Action, claims 1, 3, and 5 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,441, 758 to Koyama *et al.* ("Koyama") in view of U.S. Patent No. 6,496,130 to Nagao ("Nagao"). Claim 2 was rejected under 35 U.S.C. 103(a) as being unpatentable over Koyama in view of Nagao and further in view of U.S. Patent No. 5,228,120 to Farr, *deceased et al.* ("Farr").

Claim 4, dependent on claim 1, was objected to as being dependent upon a rejected base claim 1, but would have been allowable if rewritten in independent form including all of the limitations of the base claim.

Claim 1, therefore, has been amended by merging all the features of claim 4 into claim 1, and claim 4 has been cancelled. *No new matter has been added.* This amendment should put the currently amended claim 1 in condition for allowance. Therefore, withdrawal of the rejection of claim 1 is respectfully requested.

Claims 2 and 3 remain dependent on claim 1, and claim 5 has been amended so as to be dependent on claim 1. Dependent claims are non-obvious under 35 U.S.C. § 103 if claims from which they depend are non-obvious. *See, in re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988);* MPEP 2143.03. Therefore, withdrawal of the rejection of claims 2, 3, and 5 is respectfully requested as claims 2, 3, and 5 depend on non-obvious claim 1.

**CONCLUSION**

In view of the above amendment, applicant believes the pending application is in condition for allowance. If any further issues remain, the Examiner is invited to telephone the undersigned to resolve them.

This response is believed to be a complete response to the Office Action. However, Applicant reserves the right to set forth further arguments supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers. Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicant expressly does not acquiesce to the taking of Official Notice, and respectfully request that the Examiner provide an affidavit to support the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2) and MPEP § 2144.03.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SON-2899 from which the undersigned is authorized to draw.

Dated: March 26, 2008

Respectfully submitted,

By 

Christopher M. Tobin

Registration No.: 40,290

RADER, FISHMAN & GRAUER PLLC

1233 20th Street, N.W.

Suite 501

Washington, DC 20036

(202) 955-3750

Attorney for Applicant